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6 **UNITED STATES BANKRUPTCY COURT**
7 **SOUTHERN DISTRICT OF NEW YORK**
8

9 In re: Case No. 12-12020 (MG)
10 RESIDENTIAL CAPITAL, LLC, et al., Chapter 11
11 Debtors. Jointly Administered
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12 **MOTION TO EXCEED PAGE LIMITS ON**
13 **RESPONSE TO OBJECTION OF THE RESCAP BORROWER CLAIMS TRUST**
14 **TO PROOFS OF CLAIM FILED BY PAMELA D. LONGONI**
15 **AND JEAN GAGNON - CLAIMS NOS. 2291, 2294, 2295 AND 2357**

16 COME NOW, Claimants PAMELA D. LONGONI, individually and as the Guardian
Ad Litem for LACEY LONGONI, and JEAN M. GAGNON (Claimants), by and through
17 their attorneys, ERICKSON, THORPE & SWAINSTON, LTD., and Thomas P. Beko, Esq.,
18 and hereby move this Court for an order allowing the Defendants to exceed the currently
19 authorized 30-page limit on their *Response to Objection of the Rescap Borrower Claims*
20 *Trust to Proofs of Claim Filed by Pamela D. Longoni and Jean Gagnon Claim Nos. 2291,*
21 *2294, 2295 and 2358* filed herein on May 18, 2015. For the reasons set forth below, the
22 undersigned submits that this matter does present unique and extenuating circumstances
23 which would justify this Court's limited waiver of its chamber order.

24 On March 24, 2015, the debtors filed their first consolidated Objection to four claims
25 submitted by the claimants. Their brief totaled 34 pages in length. In response, the
26 Claimants filed a brief which was 54 pages in length. On April 20, 2015, this Court struck
27 both briefs as exceeding the Court's 25 page limit Chamber rule. On April 24, 2015, the
28 debtors filed a renewed brief which was 28 pages in length (presumably with the consent of

1 the Court). Thereafter, the undersigned undertook efforts to revise the Claimants' 54-page
2 brief to bring it within the Court's 25-page limit. During the process of preparing this brief,
3 the undersigned was able to locate a former GMACM employee who provided information
4 which completely disproved the arguments currently being proffered by the debtors. A
5 declaration detailing that information was obtained and is attached to the Claimants'
6 Response.

7 As the Court will soon see, the Claimant's underlying action was based upon events
8 which began in March of 2009, and culminated in August of 2009. Their claims are based
9 upon facts which spanned this entire period time period. The defenses proffered by the
10 debtors are based entirely upon entries in log notes which were kept by GMACM during the
11 relevant time period. To support their defenses, they have isolated certain log entries.
12 However, when those entries are considered along with the record as a whole, they simply
13 do not supported the proffered defenses. The vast majority of the Claimants' brief is a
14 detailed chronology of these events. It is believed that there is no other way to explain these
15 events without a detailed review of those facts. Thus, they seek leave to add an additional
16 five pages.

17 The undersigned fully recognizes the truly insurmountable task this Court has been
18 faced with in this action, which now exceeds 8500 pleadings. Nevertheless, the Claimants
19 in this action lost their home after making 14 years of mortgage payments, and only after they
20 had been informed *in writing* that their request for a permanent loan modification had been
21 approved, and that all actions toward foreclosure had been placed on hold. This will be their
22 one and only chance to salvage something from the devastating loss they suffered when they
23 lost their home to foreclosure. Thus, they would request that this Court grant them an
24 additional five pages to detail why their claims are valid. ¹

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26 ¹ On May 14, 2015, a request was made in a telephone call to Stephanie Gal, Law
27 Clerk to the Honorable Martin Glenn, for authorization to exceed the 25-page limit (as set
28 forth in Judge Glenn's Chamber Rules) for Claimants' Response to the Objection to their
Claims filed by the Rescap Borrower Claims Trust. Permission was given for an
additional five (5) pages, or a 30- page response.

1 DATED this 18th day of May, 2015.

2 ERICKSON, THORPE & SWAINSTON, LTD.

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4 By /s/ Thomas P. Beko
5 THOMAS P. BEKO, ESQ.
6 *Attorneys for Claimants*
7 *Pamela D. Longoni, Lacey Longoni*
8 *and Jean M. Gagnon*
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